

S/N 10/032,121

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	James T McKinley	Examiner:	Michael B Priddy
Serial No.:	10/032,121	Group Art Unit:	3732
Filed:	December 21, 2001	Docket:	80100.090US2
Title:	Bone Blocks and Methods for Inserting Bone Blocks into Intervertebral Spaces		

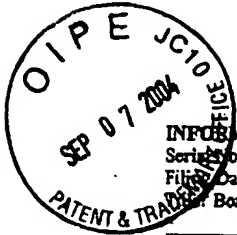
---

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicant respectfully requests that this Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicant requests that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicant with the next official communication.

Pursuant to 37 C.F.R. §1.97(c)(2), please charge Deposit Account 50-2040 the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p). Please charge any additional fees or credit any overpayment to Deposit Account No. 50-2040.



## INFORMATION DISCLOSURE STATEMENT

Serial No.: 10/032,121

Filing Date: December 21, 2001

Title: Bone Blocks and Methods for Inserting Bone Blocks into Intervertebral Spaces

Page 2  
Dia: 80100.090US2

The Examiner is invited to contact the Applicant's Representative at the below-listed telephone number if there are any questions regarding this communication.

Respectfully submitted,

JAMES T MCKINLEY

By his Representatives,

CUSTOMER NUMBER: 30,328

858-527-1936

Date 9-3-04By [Signature]

Jonathan Spangler

Reg. No. 46,182

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 3 day of September, 2004.

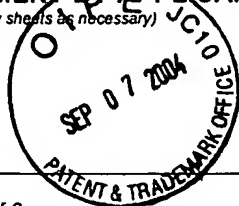
MEREDITH MESCHER  
NameMeredith Mescher  
Signature

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)



Complete if Known

Application Number	10/032,121
Filing Date	December 21, 2001
First Named Inventor	James T. McKinley
Group Art Unit	3732
Examiner Name	Michael B. Priddy

Sheet 1 of 6

Attorney Docket No: 80100.090US2

**US PATENT DOCUMENTS**

Examiner Initial *	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Class	Subclass	Filing Date If Appropriate
	US-2002/0058950 A1	05/16/2002	Winterbottom, et al.			01/15/2002
	US-2003/0105528	06/05/2003	Shimp, et al.	623		12/05/2001
	US-3,486,505	12/30/1969	Morrison, Gordon M.			
	US-3,518,993	07/07/1970	Blake, Lawrence W.			05/01/1967
	US-3,604,487	09/14/1971	Gilbert, Richard S.			03/10/1969
	US-3,745,995	07/17/1973	Kraus	128	82.1	04/09/1970
	US-3,848,601	11/19/1974	Ma, et al.	128	305	06/14/1972
	US-4,026,304	05/31/1971	Levy	128	419	11/06/1974
	US-4,026,305	05/31/1977	Brownlee, et al.	128	419	06/26/1975
	US-4,646,738	03/03/1987	Trott, Arthur F.	606	170	12/05/1985
	US-4,657,550	04/14/1987	Daher	623	17	01/16/1986
	US-4,743,256	05/10/1988	Brantigan	623	17	01/22/1987
	US-4,781,591	11/01/1988	Allen			04/06/1987
	US-4,834,757	05/30/1989	Brantigan			03/28/1988
	US-4,877,020	10/31/1989	Vich	128	92	05/24/1988
	US-4,878,915	11/07/1989	Brantigan,	623	17	01/04/1989
	US-4,932,975	06/12/1990	Main, et al.	623	17	10/16/1989
	US-4,961,740	10/09/1990	Ray, et al.	606	61	10/17/1988
	US-4,962,766	10/16/1990	Herzon, G. D.	128	741	07/19/1989
	US-5,026,373	06/25/1991	Ray, et al.	606	61	11/06/1989
	US-5,055,104	10/08/1991	Ray	606	61	11/06/1989
	US-5,062,845	11/05/1991	Kuslich, et al.	606	80	05/10/1989
	US-5,092,572	03/03/1992	Litwak, et al.	269	328	10/05/1990
	US-5,133,717	07/28/1992	Chopin	606	61	02/07/1991
	US-5,133,755	07/28/1992	Brekke	623	16	06/21/1990
	US-5,171,278	12/15/1992	Pisharodi	623	17	02/22/1991
	US-5,192,327	03/09/1993	Brantigan, John W.	623	17	03/22/1991
	US-5,217,497	06/08/1993	Mehdian	623	17	07/03/1991
	US-5,269,785	12/14/1993	Bonutti	606	80	06/28/1990
	US-5,284,153	02/08/1994	Raymond, S. A., et al.	128	741	04/14/1992
	US-5,290,494	03/01/1994	Coombes, et al.	264	41	07/16/1992
	US-5,300,076	05/05/1994	Leriche	606	73	10/09/1992
	US-5,304,210	04/19/1994	Crook	607	51	01/28/1992
	US-5,306,307	04/26/1994	Senter, et al.	623	17	07/22/1991
	US-5,306,309	04/26/1994	Wagner, et al.	623	17	05/04/1992

EXAMINER

DATE CONSIDERED

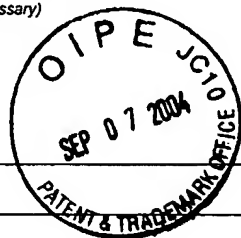
Substitute Disclosure Statement Form (PTO-1449)

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional) 2 Applicant is to place a check mark here if English language Translation is attached

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)



Sheet 2 of 6

Complete if Known

Application Number	10/032,121
Filing Date	December 21, 2001
First Named Inventor	James T. McKinley
Group Art Unit	3732
Examiner Name	Michael B. Priddy

Attorney Docket No: 80100.090US2

US-5,322,505	06/21/1994	Krause, Kenneth W., et al.	604	24	07/29/1992
US-5,334,205	08/02/1994	Cain			06/30/1993
US-5,336,223	08/09/1994	Rogers	606	61	02/04/1993
US-5,364,400	11/15/1994	Rego, Jr., et al.	606	72	06/23/1993
US-5,395,372	03/07/1995	Holt, et al.	606	61	09/07/1993
US-5,397,363	03/14/1995	Gelbard	623	17	08/11/1992
US-5,405,391	04/11/1995	Henderson, et al.	623	17	02/16/1993
US-5,413,602	05/09/1995	Metz-Stavenhagen.	623	17	09/29/1992
US-5,425,772	06/20/1995	Brantigan	623	17	09/20/1993
US-5,431,658	07/11/1995	Moskovich	606	99	02/14/1994
US-5,443,514	08/22/1995	Steffe	623	17	10/01/1993
US-5,443,515	08/22/1995	Cohen, et al.	623	17	01/26/1994
US-5,445,639	08/29/1995	Kuslich, et al.	606	80	08/13/1991
US-5,454,811	10/03/1995	Huebner	606	60	11/08/1993
US-5,458,638	10/17/1995	Kuslich, et al.	623	17	11/06/1992
US-5,484,403	01/16/1996	Yoakum, et al.	604	59	04/05/1994
US-5,489,308	02/06/1996	Kuslich, et al.	623	17	09/01/1994
US-5,522,879	06/04/1996	Scopelianos	623	1	02/18/1994
US-5,522,899	06/04/1996	Michelson	623	17	06/07/1995
US-5,524,624	06/11/1996	Tepper, et al.	128	660.3	05/05/1994
US-5,527,312	06/18/1996	Ray	606	61	08/19/1994
US-5,534,030	07/09/1996	Navarro, et al.	623	17	04/25/1994
US-5,540,688	07/30/1996	Navas, Fernand	606	61	03/08/1994
US-5,545,222	08/13/1996	Bonutti	623	11	07/08/1994
US-5,562,736	10/08/1996	Ray, et al.	623	17	10/17/1994
US-5,565,005	10/15/1996	Erickson, et al.	607	51	02/17/1993
US-5,571,190	11/05/1996	Ulrich	623	17	08/11/1994
US-5,571,192	11/05/1996	Schonhoffer	623	17	07/03/1995
US-5,593,409	01/14/1997	Michelson, G. K.	606	61	02/17/1995
US-5,609,636	03/11/1997	Kohrs, et al.	623	17	01/11/1996
US-5,611,800	03/18/1997	Davis, et al.	606	61	02/15/1994
US-5,611,810	03/18/1997	Arnold, et al.	606	185	01/18/1995
US-5,632,747	05/27/1997	Scarborough, et al.	606	79	03/15/1995
US-5,645,598	07/08/1997	Brosnahan, et al.	623	17	04/15/1996
US-5,653,761	08/05/1997	Pisharodi	623	17	06/07/1995
US-5,653,762	08/05/1997	Pisharodi	623	17	06/07/1995
US-5,658,336	08/19/1997	Pisharodi	623	17	06/07/1995
US-5,658,337	08/19/1997	Kohrs, et al.	623	17	04/17/1996
US-5,662,710	09/02/1997	Bonutti	623	11	01/23/1996
US-5,665,122	09/09/1997	Kambin, Parviz	623	17	01/31/1995
US-5,669,909	09/23/1997	Zdeblick, et al.	606	61	03/30/1995
US-5,676,703	10/14/1997	Gelbard	623	17	07/24/1996

EXAMINER

DATE CONSIDERED

Substitute Disclosure Statement Form (PTO-1449)

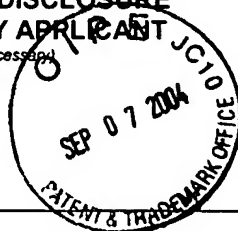
\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional) 2 Applicant is to place a check mark here if English language Translation is attached

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)



Complete if Known

Application Number	10/032,121
Filing Date	December 21, 2001
First Named Inventor	James T. McKinley
Group Art Unit	3732
Examiner Name	Michael B. Priddy

Sheet 3 of 6

Attorney Docket No: 80100.090US2

	US-5,683,394	11/04/1997	Rinner	606	86	09/29/1995
	US-5,683,400	11/04/1997	McGuire, David A.	606	96	06/07/1995
	US-5,683,464	11/04/1997	Wagner, et al.	623	17	06/07/1995
	US-5,690,629	11/25/1997	Asher, et al.	606	61	04/24/1996
	US-5,700,264	12/23/1997	Zucherman, et al.	606	79	07/01/1996
	US-5,700,291	12/23/1997	Kuslich, et al.	623	17	06/07/1995
	US-5,700,292	12/23/1997	Marguiles	623	17	11/15/1995
	US-5,702,449	12/30/1997	McKay, W. F.	623	17.16	06/07/1995
	US-5,702,451	12/30/1997	Biedermann, et al.	623	17	12/29/1995
	US-5,702,453	12/30/1997	Rabbe, et al.	623	17	05/13/1996
	US-5,702,454	12/30/1997	Baumgartner	623	17	05/29/1996
	US-5,702,455	12/30/1997	Saggar, R.	623	17.15	07/03/1996
	US-5,703,451	12/30/1997	Yamamichi, et al.	318	492	01/21/1997
	US-5,707,373	01/13/1998	Sevrain, et al.	606	72	04/26/1998
	US-5,711,957	01/27/1998	Patat, et al.	424	224	05/11/1994
	US-5,716,415	02/10/1998	Steffee	623	17	03/08/1996
	US-5,720,748	02/24/1998	Kuslich, et al.	606	80	06/07/1995
	US-5,720,751	02/24/1998	Jackson	606	86	11/27/1996
	US-5,741,261	04/21/1998	Moskovitz, et al.	606	79	06/25/1996
	US-5,755,797	05/26/1998	Baumgartner,	623	17	10/02/1996
	US-5,766,252	06/16/1998	Henry, et al.	623	17	01/24/1995
	US-5,772,661	06/30/1998	Michelson	606	61	02/27/1995
	US-5,775,331	07/07/1998	Raymond, S. A., et al.	128	741	06/07/1995
	US-5,779,642	04/14/1998	Nightengale, Christopher	600	461	02/18/1997
	US-5,782,830	07/21/1998	Farris, Robert A.	606	61	07/10/1996
	US-5,782,919	07/21/1998	Zdeblick, et al.	623	17	03/27/1995
	US-5,785,710	07/28/1998	Michelson	606	61	06/07/1995
	US-5,797,909	08/25/1998	Michelson	606	61	06/07/1995
	US-5,800,549	09/01/1998	Bao, et al.	623	17	04/30/1997
	US-5,800,550	09/01/1998	Sertich	623	17	09/11/1997
	US-5,814,084	09/29/1998	Grivas, et al.	623	16	01/16/1996
	US-5,851,208	12/22/1998	Trott	606	80	10/15/1996
	US-5,865,845	02/02/1999	Thalgott, John S.	623	17	03/05/1996
	US-5,865,848	02/02/1999	Baker	623	17	09/12/1997
	US-5,885,299	03/23/1999	Winslow, et al.	606	99	03/14/1996
	US-5,888,219	03/30/1999	Bonutti	623	11	04/11/1997
	US-5,888,224	03/30/1999	Beckers, et al.	623	17	09/05/1997
	US-5,893,890	04/13/1999	Pisharodi	623	17	07/25/1997
	US-5,904,719	05/18/1999	Errico, et al.	623	17	07/24/1997
	US-5,910,315	06/08/1999	Stevenson, et al.	424	422	07/18/1997
	US-5,954,769	09/21/1999	Rosenlicht	623	16	12/05/1997

EXAMINER

DATE CONSIDERED

Substitute Disclosure Statement Form (PTO-1449)

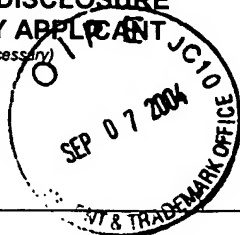
\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional) 2 Applicant is to place a check mark here if English language Translation is attached

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)



Complete if Known

Application Number	10/032,121
Filing Date	December 21, 2001
First Named Inventor	James T. McKinley
Group Art Unit	3732
Examiner Name	Michael B. Priddy

Sheet 4 of 6

Attorney Docket No: 80100.090US2

US-5,968,098	10/19/1999	Winslow	623	17	10/22/1996
US-5,993,474	11/30/1999	Ouchi, Teruo	606	206	06/10/1997
US-6,003,426		Castro, et al.			
US-6,004,326	12/21/1999	Castro, et al.	606	99	09/10/1997
US-6,015,436	01/18/2000	Schunhuffe	623	17	05/22/1997
US-6,033,405	03/07/2000	Winslow, et al.	606	61	03/03/1998
US-6,039,761	03/21/2000	Li, et al.	623	17	02/12/1997
US-6,042,582	03/28/2000	Ray	606	61	05/20/1998
US-6,045,580	04/04/2000	Scarborough, et al.	623	17	10/09/1998
US-6,048,342	04/11/2000	Zucherman, et al.	606	61	10/27/1998
US-6,063,088	05/16/2000	Winslow	606	61	03/24/1997
US-6,083,225	07/04/2000	Winslow, et al.	606	61	07/08/1997
US-6,096,080	08/01/2000	Nicholson, et al.	623	17	02/10/1999
US-6,102,948	08/15/2000	Brosnahan, III,	623	17	08/20/1997
US-6,120,506	09/19/2000	Kohrs, et al.	606	80	07/29/1997
US-6,132,472	10/17/2000	Bonutti	623	23	03/05/1999
US-6,159,211	12/12/2000	Boriani, Stefano, et al.	606	61	10/22/1998
US-6,159,215	12/12/2000	Urbahns, et al.	606	86	12/18/1998
US-6,193,756	02/27/2001	Studer, et al.	623	17.15	08/26/1998
US-6,200,347	03/13/2001	Anderson	623	16.11	08/03/1999
US-6,224,607	05/01/2001	Michelson, Gary K.	606	96	01/25/2000
US-6,224,631	05/01/2001	Kohrs	623	17.11	03/20/1998
US-6,241,769	06/05/2001	Nicholson, et al.	623	17.11	05/06/1998
US-6,241,771	06/05/2001	Gresser, et al.	623	17.16	08/10/1998
US-6,251,140	06/26/2001	Marino, et al.	623	17.16	05/26/1999
US-6,258,125	07/10/2001	Paul, et al.	623	17.11	07/30/1999
US-6,277,149	08/21/2001	Boyle, et al.	623	17.16	06/08/1999
US-6,319,257	11/20/2001	Carignan, et al.	606	99	12/20/1999
US-6,371,989	04/16/2002	Chauvin, et al.	623	17.11	06/05/2000
US-6,440,142	08/27/2002	Ralph, et al.	606	99	04/27/2001
US-6,442,814	09/03/2002	Landry, et al.	26	29	04/23/1999
US-6,454,806	09/24/2002	Cohen, et al.	623	17.15	07/26/1999
US-6,527,773	03/04/2003	Lin, et al.	606	61	10/10/2000
US-6,595,998	07/22/2003	Johnson, et al.	606	90	06/01/2001
US-6,635,086	10/21/2003	Lin, Paul S.	623	17.11	05/30/2001
US-6,648,895	11/18/2003	Burkus, et al.	606	90	01/08/2001

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Foreign Document No	Publication Date	Name of Patentee or Applicant of cited Document	Class	Subclass	T <sup>2</sup>
	CA-2015507		Kuslich, et al.			
	EP-369603	05/23/1990	Ray			
	EP-517030	05/19/1992	Siebel			

EXAMINER

DATE CONSIDERED

Substitute Disclosure Statement Form (PTO-1449)

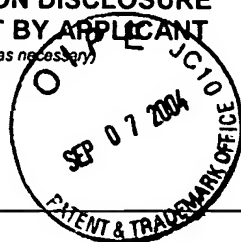
\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional) 2 Applicant is to place a check mark here if English language Translation is attached

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)



Complete if Known

Application Number	10/032,121
Filing Date	December 21, 2001
First Named Inventor	James T. McKinley
Group Art Unit	3732
Examiner Name	Michael B. Priddy

Sheet 5 of 6

Attorney Docket No: 80100.090US2

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Foreign Document No	Publication Date	Name of Patentee or Applicant of cited Document	Class	Subclass	T <sup>2</sup>
	EP-667127	08/16/1995	Sanders			
	EP-706876	04/17/1996	McMillin			
	EP-716840	06/19/1996	Pavlov, et al.			
	EP-737448	10/16/1996	Jackson, et al.			
	EP-796593	09/24/1997	Mitchell, et al.			
	EP-809974	04/15/1998	Benzel, et al.			
	EP-809975	04/15/1998	Benzel, et al.			
	EP-811356	04/15/1998	Glascott, et al.			
	EP-880938	02/12/1998	Castro, et al.			
	WO-00/45712	08/10/2000	Steiner, et al.			
	WO-00/45713	08/10/2000	Steiner, et al.			
	WO-01/41681	06/14/2001	Corwall, et al.			
	WO-01/49333	07/12/2001	Shimp, et al.			
	WO-91/06261	05/16/1991	Ray, Charles, et al.			
	WO-94/04100	03/03/1994	Mazda, et al.			
	WO-94/10928	05/26/1994	Hopf, Christoph			
	WO-95/01810	01/19/1995	Wolowacz, et al.			
	WO-96/08205	03/21/1996	Pavlov, et al.			
	WO-96/17564	03/13/1996	Rabbe, et al.			
	WO-96/41582	12/27/1996	David, et al.			
	WO-97/20513	06/12/1997	Taddia			
	WO-97/33525	09/18/1997	Winslow, Charles A.			
	WO-97/37620	10/16/1997	Benezech, et al.			
	WO-98/09586	03/12/1998	Webb, et al.			
	WO-98/14142	04/09/1998	Larsen, et al.			
	WO-98/17208	04/30/1998	Winslow, Charles			
	WO-98/25539	06/18/1998	Spath, Volker			
	WO-99/08627	02/25/1999	Gresser, et al.			
	WO-99/38461	08/05/1999	Paul, David, et al.			

**OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		ALLEYNE, CARGILL H., et al., "Current and future approaches to lumbar disc surgery: A literature review", <u>Medscape Orthopedics &amp; Sports Medicine</u> , 1, [www.medscape.com/Medscape/OrthoSportsMed/1997/v01.n11/.../mos3057], (1997),	
		BENINI, et al., "Undercutting decompression and posterior fusion with translaminar facet screw fixation in degenerative lumbar spinal stenosis: Technique and results", <u>Neuro-Orthopedics</u> , (1995), 159-172	

EXAMINER

DATE CONSIDERED

Substitute Disclosure Statement Form (PTO-1449)

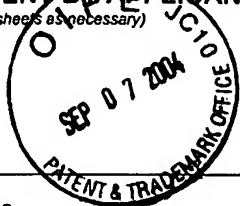
\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional) 2 Applicant is to place a check mark here if English language Translation is attached

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)



Sheet 6 of 6

Complete if Known

Application Number	10/032,121
Filing Date	December 21, 2001
First Named Inventor	James T. McKinley
Group Art Unit	3732
Examiner Name	Michael B. Priddy

Attorney Docket No: 80100.090US2

**OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		KAMBIN, et al., "History and current status of percutaneous arthroscopic disc surgery", <u>Spine</u> , 21, (1996),57S-61S	
		STEIN, et al., "Percutaneous facet joint fusion: Preliminary experience", <u>Journal of Vascular and Interventional Radiology</u> , 4, (1993),69-74	
		VAMVANIJ, et al., "Surgical treatment of internal disc disruption: An outcome study of four fusion techniques", <u>Journal of Spinal Disorders</u> , 4, (1998),375-382	

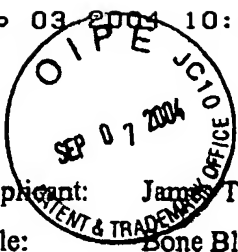
EXAMINER

DATE CONSIDERED

Substitute Disclosure Statement Form (PTO-1449)

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.<sup>1</sup> Applicant's unique citation designation number (optional) <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached





**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: James T McKinley

Title: Bone Blocks and Methods for Inserting Bone Blocks into Intervertebral Spaces

Docket No.: 80100.090US2

Filed: December 21, 2001

Examiner: Michael B Priddy

Serial No.: 10/032,121

Due Date: N/A

Group Art Unit: 3732

**MS Amendment**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

☒ A return postcard.

☒ An Information Disclosure Statement (2 pgs.), Form 1449 (6 pgs.), and copies of 191 cited documents.

☒ Please charge Deposit Account # 50-2040 in the amount of \$180.00 to cover the fee for consideration of Information Disclosure Statement under 97(c).

If not provided for in a separate paper filed herewith, Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 50-2040.

**CUSTOMER NUMBER: 30-328**

858-527-1936

By:

*[Signature]*  
Jonathan Spangler  
Reg. No.: 40,182

9-2-04

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 3 day of September, 2004.

MEREDITH MESCHER

Name

*[Signature]*  
Meredith Mescher

Signature

(GENERAL)